

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Margarita Gaeta, et al.,

NO. C 05-04115 JW

Plaintiffs,

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE;  
ADMINISTRATIVELY CLOSING CASE**

v.

Perrigo Pharmaceuticals Company,

Defendant.

This case is scheduled for a Case Management Conference on December 12, 2011. On December 2, 2011, the parties filed a Joint Case Management Conference Statement informing the Court that on October 31, 2011, the Supreme Court granted Defendant's petition for a writ of certiorari, vacated the judgment, and remanded the case to the Ninth Circuit for further consideration in light of PLIVA, Inc. v. Mensing.<sup>1</sup> (Joint Case Management Statement at 2, Docket Item No. 397.)

In light of the Supreme Court's order, the Court VACATES the Conference as unnecessary. Pending the Ninth Circuit review of the case, the Court ORDERS the Clerk of Court to administratively CLOSE this case. Within ten days of the Ninth Circuit's order on remand from the Supreme Court, either party may move to have the case reopened.

Dated: December 5, 2011

  
JAMES WARE  
United States District Chief Judge

<sup>1</sup> 131 S. Ct. 2567 (2011).

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Andrew Joseph Spielberger witzer@witzerlaw.com  
Bill Zook bzook@tedlyon.com  
Brian David Witzer witzer@witzerlaw.com  
Colin C. Munro cmunro@archernorris.com  
Colleen T. Davies cdavies@reedsmith.com  
David D Mesa david.mesa@sdma.com  
Genese Kay Dopson genese.dopson@sdma.com  
J. David Bickham dbickham@reedsmith.com  
James Conner Barber jcb888@aol.com  
Jennifer Brenda Bonneville jennifer.bonneville@sdma.com  
Joseph P. Thomas jthomas@ulmer.com  
Judith Belle Anderson janderson@archernorris.com  
Juliet W. Starrett jstarrett@reedsmith.com  
Kelly Savage Day kelly.savage@sdma.com  
Kenneth C. Ward kcward@archernorris.com  
Marquette William Wolf mwolf@tedlyon.com  
Meghan Kathleen Landrum mklandrum@reedsmith.com  
Michael F. Healy michael.healy@sdma.com  
Miranda Picken Neal miranda.neal@madera-county.com  
Prentiss Wilmer Hallenbeck phallenbeck@ulmer.com  
Randall Penner penner.bradley@sbcglobal.net  
Rebecca Marie Biernat Rebecca.Biernat@tuckerellis.com  
Rowena Javier Dizon rowena@witzerlaw.com  
Thomas Michael Frieder tmf@hassard.com

**Dated: December 5, 2011**

**Richard W. Wieking, Clerk**

By: /s/ JW Chambers  
**Susan Imbriani**  
**Courtroom Deputy**